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## BUSINESS CONDITIONS.

The following excerpts from the  
 weekly report of Henry Clegg & Co.,  
 one of the largest banking institutions  
 on Wall street, will tend to show  
 what the business conditions are  
 throughout the country:

Speculative conditions in the stock  
 market show moderate improvement.  
 Confidence revives slowly, but there  
 is a marked absence of the unsettling  
 rumors which affected the stability of  
 values during the last two or three  
 months. Now that the weakest spot  
 in the situation have been eliminated  
 the market is more likely to be under  
 the influence of nature's law of  
 its future to be more safely gauged  
 by ordinary judgment.

"During the next few weeks good  
 rates for money are likely to prevail,  
 and it is quite conceivable that occa-  
 sional surges may be encountered  
 elsewhere. It must be remembered  
 that the crop movement is due in  
 three weeks late in most localities,  
 and even four weeks late in some; so  
 that these demands have appeared  
 later than usual, and funds will be  
 correspondingly late in returning.

The only source of relief to the  
 monetary situation is due to gold im-  
 ports in gold imports. Europe is  
 rather disposed to retain surplus  
 funds, although the best opinion is  
 that if New York needs gold it will  
 come. That is reassuring and probably  
 true. Our foreign trade movement is  
 growing more favorable to gold im-  
 ports, for the reason that exports  
 hitherto backward are increasing  
 while imports are decreasing. The  
 latter is a new feature, the result of  
 depression here and a lessened de-  
 mand for luxuries.

"Railroad earnings continue satis-  
 factory, both gross and net, although  
 decreases in the latter grow more fre-  
 quent. Railroad managers, however,  
 are often making strenuous efforts at  
 retrenchment, not only in improve-

ments but also in ordinary operating  
 expenses. When the time comes that  
 increased costs of labor and materials or  
 to an anticipated decline in business  
 does not yet appear. But the movement  
 is significant, and is probably  
 partly owing to both causes. Bank  
 clearings for several weeks have been  
 showing declines of 15 to 20 per cent  
 compared with last year, the heaviest  
 shrinkage, of course, being in the  
 eastern financial centers, while the  
 western cities still continue to show  
 gains over last year. A conservative  
 policy seems general in business cir-  
 cles. At the lower level manufacturing  
 profits are being reduced to a  
 minimum, and labor will sooner or  
 later be obliged to recognize the  
 changed situation and allow conces-  
 sions. At the lower level, to which  
 we are now coming, more stable if  
 less profitable conditions will be  
 reached, and western life will be  
 all it reason rises. The inevitable  
 shrinkage of boom profits will, of  
 course, affect the industrial adver-  
 sely. Fortunately, these are held by  
 the public, as a rule, to only a lim-  
 ited extent, and the reorganizations  
 or readjustments which are in the  
 due course of time will fall heaviest  
 upon their progenitors.

"International politics may have a  
 slight effect upon the world's security  
 markets, but the danger of an out-  
 break in the far east is not immediate.  
 In our own political situation there  
 is also nothing to cause uneasiness.  
 Congress will do little or nothing  
 until after the presidential election,  
 a year hence, and no disturbance need  
 be expected from that quarter.

John Allison has written a comedy  
 drama of western life, and it is  
 promised to contain many dramatic  
 surprises, and at the same time the  
 comedy element will predominate.  
 The title decided upon is "Minnie  
 From Minnesota," and Maude Allison  
 will be starred in the production,  
 which will open in September next.

The government of New York City  
 costs over a hundred millions a year.  
 The sum total of the budget for the  
 next calendar year is one hundred and  
 six and a half million dollars. Near-  
 ly one fourth as much as congress  
 appropriates for conducting the gov-  
 ernment of the United States.

While Mr. Hanna is unsurpassed as  
 a campaign manager, the Kansas City  
 judge says any fairly good public  
 leader ought to be able to con-  
 duct next year's campaign to a suc-  
 cessful outcome.

The Chicago police are under sus-  
 picion and are charged with selling  
 boys into slavery and young girls into  
 shame. But one could expect nothing  
 else of a city where graft rules in  
 high places.



THE BATTERING RAM.

## PANAMA AS A DEPENDENCY.

Some persons on the other side of  
 the Atlantic see certain things on this  
 side of the water pretty clearly.  
 The London Morning Post, for exam-  
 ple, says it is "in the interest of the  
 world and of civilization that Panama  
 declare its independence and hoist its  
 flag under the banner of the United  
 States of America." The London Daily  
 Mail, with prophetic fore-  
 sight, declares that Panama's inde-  
 pendence will be a "shadowy na-  
 ture," and that it "must come to de-  
 pend entirely on the United States,  
 to which it will be virtually annexed."  
 And it adds: "Thus the United States draws a step  
 nearer to the immense wealth of South  
 America, which must some day fall  
 under its control."

All this, of course, is gospel. Cir-  
 cularization will be benefited by the  
 separation of Panama from Colombia.  
 Panama, in its new status, will vir-  
 tually be part of the territory of the  
 United States. Theoretically it will  
 be independent, at least for a time.  
 Actually, it will be a dependency of  
 the United States. It will be formally  
 annexed to the United States in the  
 pass through the territorial status,  
 and then be admitted to the union on  
 an equality with New York, Missouri  
 and the rest of the states. This is  
 prophecy which will soon transmute  
 itself into history.

It is reported that Colombia will  
 have a powerful effect to regain her  
 ascendancy on the isthmus. An army  
 of several thousand men is said to be  
 marching on Panama from the south.  
 That army, if it exists, will do no  
 harm to the revolutionists. The phys-  
 ical obstacles in the way of the in-  
 vasion of Panama from Colombia by land  
 are so great that they can not be over-  
 come by any force which the Bogota  
 government can raise. The obstacles  
 to the entrance of Colombian troops  
 by sea in sufficient force to accom-  
 plish anything are equally formidable.  
 The sympathy of the people of the  
 big republic of North America will  
 sustain the isthmians in their struggle  
 with Colombia, if there should be  
 any struggle. Our own government  
 will be obliged to prevent the inter-  
 ruption of traffic on the isthmian rail-  
 road, and also to protect American  
 citizens at the different ports in the  
 new nation. The United States  
 reposes, and the government at Panama  
 still lives.—Globe-Democrat.

## THANKSGIVING IN THE WEST.

In this issue of the Journal-Miner is  
 published the proclamation for  
 Thanksgiving just issued by Governor  
 Brodie. In this connection it natu-  
 rally starts one to reflecting on some  
 of the things for which not only the  
 whole country, but the west in particu-  
 lar, has to be thankful. That the west  
 is prosperous no one can deny,  
 and in proof of this the following  
 proposition is submitted:

Traveling men say they "cannot get  
 goods to their customers fast enough."  
 Farmers say crops are bountiful, and  
 prices all that could be wished.  
 Railroad men say their only trouble  
 is to handle the enormous volume of  
 traffic.  
 Manufacturers say their only diffi-  
 culty is in getting the additions to  
 their plants completed so they can  
 catch up with their orders.  
 The warehouse men have no room  
 in their elevators; the bankers have  
 vaults filled with deposits, and a ready  
 demand for money; contractors and  
 builders have work in sight for a year  
 ahead; even the cattle in the fields  
 and the horses in the streets look  
 sleek.  
 The mortgage on the farm has been  
 paid off, and the farmer has money  
 to loan.  
 Industries are making money and  
 railroads are paying dividends.  
 The earth has been prolific; buying,  
 selling, carrying, building, develop-  
 ing, all are going forward with a hum  
 of industry that can almost be heard.  
 Confidence is strong and faith in  
 the future is firm.  
 The stock brokers now have the  
 field to themselves. They do not  
 affect the general country. What one  
 loses another makes. It is speculation  
 pure and simple.

The revolution in Colombia, result-  
 ing in the independence of the State  
 of Panama and the creation of a new  
 republic, brings the Panama canal to  
 the front again. There appeared to be  
 but little chance for a settlement  
 of the differences with the Colombian  
 government, although the people of  
 Panama themselves are a unit in favor  
 of accepting the ten million and al-  
 lowing the United States to go ahead  
 with the work. But Senator Morgan  
 and some of his friends are demand-  
 ing that the Nicaragua route be  
 chosen and they threaten to bring the  
 matter to the front. If this is done it  
 means another long and wearisome  
 fight, as Morgan's ability to talk for-  
 ever is well known.

There are half a dozen male adults  
 in Santo Domingo who have not been  
 elected president of the republic, and  
 they are concocting a revolution.

The available cash balance in the  
 United States treasury is \$225,000,000,  
 which would indicate that we are still  
 able to pay our bills.

## THE CUBAN TREATY.

That the Cuban treaty will be made  
 effective by the passing of the neces-  
 sary legislation in both houses of con-  
 gress, is not only the opinion of the  
 opposition, but not enough to defeat  
 the measure. President Roosevelt's  
 missionary work on his trip early in  
 the year, and his persistent endeavors  
 with congressmen and senators at  
 Washington, have had their effect,  
 and the administration will be sus-  
 tained.  
 The effort to injure President  
 Roosevelt on account of his activity  
 in the interest of Cuban reciprocity  
 will fail utterly. This effort is par-  
 ticipated in by some democrats on ac-  
 count of it being an administration  
 policy; but most of the opposition is  
 backed by the best sugar interests of  
 the Pacific coast and the northwest.  
 It has been shown that the reciprocal  
 feature will not materially hurt the  
 best sugar industry. But aside from  
 all questions of policy, and paramount  
 to the objections assumed at the point  
 by the president in his message to  
 congress—that America's word is  
 pledged, and failure to enact the  
 necessary legislation will constitute  
 repudiation of our promises.

President Roosevelt has been carry-  
 ing out his definite promise of Presi-  
 dent McKinley. He has very wisely  
 refused to argue the matter of Cuban  
 reciprocity beyond a certain point,  
 saying that his solemn promise in the  
 presence of death at Buffalo to carry  
 out the announced policies of his  
 predecessor was enough to bind him  
 to his aggressive action.  
 It is this promise that fixed the  
 faith of all the people on Roosevelt in  
 the days when he was not so well  
 known as now. He will carry out  
 that promise to the letter, and con-  
 gress will not refuse to make good  
 the obligations assumed at that time  
 of the Cuban settlement. The president's  
 message is a model of high minded,  
 patriotic, statesmanlike utterance.

Organized labor in Chicago is be-  
 ginning to feel the reactionary effects  
 of the abolition of the law in cases  
 of the death of a person. It has  
 gained during the last year. So  
 heavy has the additional expense  
 proved to the big firms that they have  
 been forced to lay off 12,000 men,  
 and are preparing to drop 7000 more.  
 Reports of the discharge of the Pul-  
 man company was contemplating lay-  
 ing off men, and that the companies  
 of the various metal trades association  
 are ready to take similar action.  
 Should all this be done Chicago will  
 have more idle men than at any time  
 since the war. A total of 11,800 men  
 are now out of work.

An associated press dispatch says  
 that what has most impressed all ob-  
 servers of the present situation on the  
 isthmus of Panama is the complete  
 success of the Panama canal. The  
 and the orderly continuance of affairs  
 since the change of government. All  
 government functions have so far  
 been carried on with complete suc-  
 cess, and the unanimous feeling  
 throughout the district of Panama is  
 in favor of the new government. It is  
 not what its promoters anticipated  
 when making their preparations for  
 the memorable event of Nov. 3. The  
 successful execution of all the details  
 of the secession plan show that the  
 work was that of minds masterful in  
 such matters and rarely known in  
 South American revolutions.

The deal which it was thought some  
 time ago had been closed between the  
 Santa Fe and Rock Island roads for a  
 joint trackage arrangement, is now  
 being delayed, and the proposed  
 plan is good for lively contention be-  
 tween the two great companies for the  
 business of the southwest.—Albu-  
 querque Journal.

The eternal feminine grows up in  
 central Africa too, and recent British  
 government can't keep up its com-  
 munications since the dashing brun-  
 nette belle decided that the fashion-  
 able evening dress was to be a neat  
 but chaste costume of a tulle or gauze  
 would three times around the waist.

Bogota is now finding out that our  
 treaty obligation to preserve free  
 transit across the isthmus of Panama,  
 heretofore interpreted that we  
 wouldn't let insurgents fight the Col-  
 ombian government, may also mean  
 we won't let the government fight  
 insurgents.

In an advertisement by a railway  
 company of some uncalled for goods  
 the letter "V" was dropped from the  
 word "lawful," and it read: "Peo-  
 ple to whom the packages are direct-  
 ed are requested to come forward and  
 pay the actual charges on the same."

That we are not the only ones shown  
 by a German contested election case  
 where forty one witnesses testified to  
 voting for a candidate, officially ac-  
 cused as having bid, often votes,  
 evidently they play unbloody tricks  
 with ballot boxes over there too.

## Thanksgiving Proclamation

Executive Department,  
 Office of the Governor.  
 The people of the Territory of Ari-  
 zona, in grateful and unfeigned ac-  
 knowledgment of the rich blessings  
 bestowed during the year by the Su-  
 preme Ruler, and ever mindful of  
 their dependence on the bounty of the  
 Giver of all good, should seek fitting  
 occasion to express their feeling of  
 gratitude and adoration.  
 The general health of our citizen-  
 ship has been good; the treasures of  
 our mines, forests, fields and gardens  
 have been poured forth in increasing  
 quantities; and the paths of honest  
 toil and energy have led to comfort,  
 contentment and happiness. Prosper-  
 ity has come to all branches of indus-  
 try, not only in this territory, but in  
 the nation, for which the expressions  
 of thanks of a grateful people should  
 be devoutly given.

In harmony with the beautiful cus-  
 tom of our people of giving a day in  
 each year to devotion and thank-  
 giving for the gifts of Providence, I,  
 Alexander O. Brodie, governor of the  
 Territory of Arizona, do hereby recom-  
 mend, in conformity with the pro-  
 clamations of the president of the United  
 States, that Thursday, November 26,  
 1903, be observed as a day of special  
 devotion to thanksgiving and prayer,  
 remembering the needy in acts of  
 Christian charity and brotherly love,  
 that we may be worthy of the Divine  
 blessing of Almighty God.

In witness whereof, I have hereunto  
 set my hand, and caused the great seal  
 of the Territory to be hereunto af-  
 fixed, Done at the capital, in the City  
 of Phoenix, this sixth day of Novem-  
 ber, A. D., 1903.

Alexander O. Brodie,  
 By the Governor:  
 William English,  
 Assistant Secretary of Arizona.

## GRAND MASONIC LODGE OFFICERS.

The Masonic Grand Lodge of Ari-  
 zona, which met in session at Tucson  
 this week elected officers as follows:  
 C. W. Platt, grand master.  
 George Shoup, grand secretary.  
 Herbert Brown, junior grand warden.  
 John M. Ormsby, grand treasurer.  
 George J. Roskrug, grand secretary.  
 The grand chapter of Royal Arch  
 Masons elected the following officers:  
 A. A. Johns, of Prescott, grand  
 high priest.  
 John J. Sweeney, deputy grand  
 high priest.  
 Volney R. Stiles, grand king.  
 J. H. McPherson, grand scribe.  
 J. M. Ormsby, grand treasurer.  
 George J. Roskrug, grand secretary.

Mr. F. T. Bennett, of Prescott,  
 grand chaplain.  
 Morris Goldwater, of Prescott,  
 grand lecturer.  
 P. P. Parker, grand captain of the  
 host.  
 A. D. Barnhart, of Prescott, grand  
 chaplain.  
 J. J. Mulrhead, royal arch captain.  
 F. M. Zuck, grand organist.  
 The commandery elected the fol-  
 lowing officers to serve for the ensuing  
 year:  
 Thomas Armstrong, Jr., grand com-  
 mander.  
 T. Rouse, deputy grand com-  
 mander.  
 J. J. Hawkins, of Prescott, grand  
 generalissimo.  
 J. J. Sweeney, grand captain gen-  
 eral.  
 E. L. Hart, grand senior warden.  
 G. W. Vickers, grand junior warden.  
 G. M. N. Luhrs, grand treasurer.  
 R. J. Roskrug, grand recorder.  
 Rev. Lewis Halsey, grand proleat.  
 N. A. Morford, grand standard  
 bearer.

John D. Barnhart, of Prescott grand  
 sword bearer.  
 G. E. Kohler, grand warden.  
 J. H. Baldwin, grand captain of the  
 guards.

## Monstrous Engines.

The Santa Fe will shortly receive a  
 few of the big engines now being fab-  
 ricated by the Baldwin Locomotive  
 works. The consignment of twenty  
 engines ordered from the Baldwins  
 is nearly finished and several of the  
 big machines have been sent to the  
 west. They will be used on the heavy  
 grade of the mountain ranges crossed  
 by the Santa Fe main line. The en-  
 gines are the largest that have ever  
 been turned out of any railroad shops  
 in the world. One of the great ma-  
 chines, a few days ago, was taken to  
 the New Mexico division to be used  
 on the steep inclines of the Rio Grande  
 pass. When the engine was run into  
 the round house at La Junta it was  
 found that there was not room enough  
 in the stall for the complete engine,  
 so the tender was uncoupled and the  
 monster was then allowed to lunge for  
 the round house. The engine and ten-  
 der is seventy seven feet long and the  
 tank of its tender has a capacity  
 of 8700 gallons of water. Its weight  
 is 200 tons. The engine has five  
 drivers on each side and the wheels  
 are so large that the surface with  
 which they touch the rails is much  
 larger than that of an ordinary en-  
 gine. They are intended for pulling  
 long trains up the heavy grades and  
 the Santa Fe road with these engines  
 will be able to take trains as long as  
 other roads do where the grades are  
 not so exceedingly heavy. The engines  
 are the limit for size and make an or-  
 dinary engine look like a pigmy by  
 comparison. They are much heavier

than the heavy Brooks locomotive  
 bought by the Northern Pacific some  
 years ago to solve the problem of  
 heavy grades on its Rocky mountain  
 division.—Albuquerque Citizen.

KIRKLAND AND SKULL VALLEY.  
 Farmers in Skull Valley have been  
 very busy taking care of their last  
 cutting of hay which was a good yield  
 and extra fine quality.

Mrs. Howels was suffering from an  
 attack of acute rheumatism but after  
 getting medical advice in Prescott, is  
 improving.

Aaron Stull is about to start baling  
 on a large amount of fine hay on the  
 Crapo ranch. Mr. Stull has also  
 a good crop of fine potatoes.

Gardens, owing to unfavorable  
 spring weather, have not yielded well,  
 but Mrs. Shupp and her son Chester  
 are reported as having obtained good  
 results from late plantings and re-  
 plantings.

The Miller boys have just received  
 a large amount of rye to be used as  
 feed for next year's hay crop. Their  
 success with rye hay this year in-  
 duces them to try it more extensively  
 next year. They have also increased  
 their acreage of alfalfa considerably  
 and have an extra fine stand on it.

John Ehls is contemplating a trip to  
 Phoenix, where he may spend the  
 winter. His daughter is there with  
 his sister, Mrs. Crouch, attending school.  
 Walter Roberts and family are also  
 expecting to winter in Phoenix. Mr.  
 Roberts made a good crop of hay and  
 garden stuff this year.

Mr. Lawell is also reported to be  
 a very successful gardener this year,  
 having raised some of the best of his  
 articles on hand. Harold Miller is  
 also said to have a fine stand of tur-  
 nips.

Grant Carter will cut five crops of  
 alfalfa this year, which is one better  
 than usual.

C. W. Platt is in good humor since  
 the striking of the new one on the Il-  
 linois properties near Kirkland. Mrs.  
 C. W. Platt, who was for many months  
 in Prescott under medical treatment  
 is now at her post as deputy postmas-  
 ter and in good health.

There is talk of the Zonia mine be-  
 ing again taken in hand by capitalists  
 and prospected to a finish. These  
 men are said to be expert and very  
 practical copper miners. As the dyke  
 is such an immense prospect, the  
 grade ore is there is doubtless more  
 than rumor in the report. George  
 Miner has also signed his intention  
 to return to Bisbee and look after his  
 interest in the Zonia.

## THE INJUNCTION MADE PERMANENT

### Against the Miners and Unions.

#### Decision to That Effect Handed Down By Judge Sloan This Morning.

Judge Sloan this morning handed  
 down a decision making the injunction  
 against certain miners and Miners'  
 unions' injunctions this country per-  
 manent. This is the first outcome of  
 the proceedings which were begun last  
 summer when the Mine Operators' as-  
 sociation asked for an injunction  
 restraining them from interfering  
 with the operations of their prop-  
 erty. The injunction was granted, the  
 case was heard before Judge Sloan  
 some weeks later and the decision  
 handed down today is based on the  
 facts adduced at that hearing. The  
 decision, as will be seen, sustains  
 every important point contended for  
 by the Mine Operators' association.  
 Messrs. Hawkins, Rose and Anderson  
 were the attorneys for the mine op-  
 erators, and the decision of Judge Sloan  
 reflects great credit on the manner in which  
 they conducted the case and carried it  
 to such a successful termination. The  
 decision is given below in full:

In the district court of the fourth  
 judicial district of the territory of  
 Arizona, in and for the county of  
 Yavapai.  
 Poland Mining Co., Oriental Min-  
 ing Co., Gold and Copper Consoli-  
 dated No. 65 of the Western Federa-  
 tion of Miners, Walker Miners'  
 Union No. 65 of the Western Federa-  
 tion of Miners, Groom Creek Union  
 No. 154 of the Western Federation of  
 Miners, Alfred Paul, Hugh Burns, F.  
 Starr, S. D. Murray, M. W. Moor,  
 John Larson, Tom Caldwell, James  
 O'Donnell, R. McCormick, Roy O.  
 Jones, Henry Pitts, Pat Sullivan,  
 John Rusk, E. T. Donnelly, James  
 McLaughlin and Tom Connors, de-  
 fendants.

vs.  
 Yavapai District Union of the West-  
 ern Federation of Miners, McCabe  
 Miners Union No. 118 of the Western  
 Federation of Miners, Walker Miners'  
 Union No. 65 of the Western Federa-  
 tion of Miners, Groom Creek Union  
 No. 154 of the Western Federation of  
 Miners, Alfred Paul, Hugh Burns, F.  
 Starr, S. D. Murray, M. W. Moor,  
 John Larson, Tom Caldwell, James  
 O'Donnell, R. McCormick, Roy O.  
 Jones, Henry Pitts, Pat Sullivan,  
 John Rusk, E. T. Donnelly, James  
 McLaughlin and Tom Connors, de-  
 fendants.

DECISION.  
 The court finds that the plea in abate-  
 ment interposed by the defendants is not  
 sustained by the proof, in this, that it  
 is shown that the plaintiffs, with the  
 exception of the Standard Smelting  
 and Refining Co., are similarly sit-  
 uated as regards the subject matter of  
 the suit and have a common interest  
 therein; that with regard to the plain-  
 tiff, the Standard Smelting and Re-  
 fining Co., although it is not shown  
 that said plaintiff is similarly sit-  
 uated as regards the subject matter of  
 the suit, it is shown that the mis-  
 joinder in this behalf is immaterial and without  
 prejudice to the rights of the defend-  
 ants.

The court further finds that the  
 defendants are interested in the prop-  
 erty of the plaintiffs, and are seeking  
 to the complaint herein upon the  
 ground that the said plaintiffs in  
 their complaint stated no facts show-  
 ing a common interest in the action,  
 and upon the further ground that the  
 complaint fails to state facts sufficient  
 to constitute a cause of action against  
 the defendants, are overruled.

Upon the merits the court finds:  
 I. That the plaintiffs, with the  
 exception of the Standard Smelting  
 and Refining Co., were, at the time  
 of the institution of this suit and  
 thereafter, engaged in the business  
 of operating mines and mining prop-  
 erty in and about the county of Yavapai,  
 and were at that time and are now  
 similarly situated as regards the  
 subject matter of the suit and pos-  
 sessed a common interest therein.

2. That on about the 4th day of  
 June, 1903, the defendants, the Walker  
 Miners Union No. 65 of the Western  
 Federation of Miners, organized and  
 declared what is commonly called and  
 known as a strike; that the officers  
 and members of said union, for the  
 purpose of enforcing said strike, un-  
 lawfully conspired and conspired to  
 prevent plaintiffs from operating their  
 mines and mining properties by the  
 use of force, violence, threats and  
 intimidation; that in pursuance of  
 said unlawful conspiracy certain of  
 the officers and members of said union  
 used force and employed intimidation  
 and made threats to prevent  
 said plaintiffs from operating their  
 mines and the employment by  
 said plaintiffs of miners and others  
 who are willing to enter into their  
 employment; that such unlawful use  
 of force, intimidation and threats so  
 made in furtherance of said conspiracy  
 was with the knowledge, aid,  
 sympathy and encouragement of the  
 officers and members of said union.

3. That the defendant, the Yavapai  
 District Union of the Western Federa-  
 tion of Miners, with the knowledge  
 of said conspiracy and in aid and  
 encouragement thereof, suffered, per-  
 mitted and acquiesced in the posting,  
 publishing and distribution of certain  
 intimidating circulars or posters pur-  
 porting to be signed by said Yavapai  
 District Union, which said posters  
 and circulars are as set forth in plain-  
 tiffs complaint; that the defendant,  
 F. P. Starr, participated in the post-  
 ing, distribution and circulation of  
 said posters, with the knowledge, aid  
 and encouragement thereof, and for  
 the purpose of coercion and intima-  
 dation, did cause one Pat O'Donnell,  
 an employee of one of the plaintiffs herein,

to constitute a cause of action against  
 the defendants, are overruled.

The court further finds that the  
 defendants are interested in the prop-  
 erty of the plaintiffs, and are seeking  
 to the complaint herein upon the  
 ground that the said plaintiffs in  
 their complaint stated no facts show-  
 ing a common interest in the action,  
 and upon the further ground that the  
 complaint fails to state facts sufficient  
 to constitute a cause of action against  
 the defendants, are overruled.

Upon the merits the court finds:  
 I. That the plaintiffs, with the  
 exception of the Standard Smelting  
 and Refining Co., were, at the time  
 of the institution of this suit and  
 thereafter, engaged in the business  
 of operating mines and mining prop-  
 erty in and about the county of Yavapai,  
 and were at that time and are now  
 similarly situated as regards the  
 subject matter of the suit and pos-  
 sessed a common interest therein.

2. That on about the 4th day of  
 June, 1903, the defendants, the Walker  
 Miners Union No. 65 of the Western  
 Federation of Miners, organized and  
 declared what is commonly called and  
 known as a strike; that the officers  
 and members of said union, for the  
 purpose of enforcing said strike, un-  
 lawfully conspired and conspired to  
 prevent plaintiffs from operating their  
 mines and mining properties by the  
 use of force, violence, threats and  
 intimidation; that in pursuance of  
 said unlawful conspiracy certain of  
 the officers and members of said union  
 used force and employed intimidation  
 and made threats to prevent  
 said plaintiffs from operating their  
 mines and the employment by  
 said plaintiffs of miners and others  
 who are willing to enter into their  
 employment; that such unlawful use  
 of force, intimidation and threats so  
 made in furtherance of said conspiracy  
 was with the knowledge, aid,  
 sympathy and encouragement of the  
 officers and members of said union.

3. That the defendant, the Yavapai  
 District